



TFW 2152

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Total Number of Pages in This Submission

3

Application Number

09/884,531

Filing Date

06-19-01

First Named Inventor

McConnell, Brian

Art Unit

2152

Examiner Name

Bhatia, Ajay M.

Attorney Docket Number

25587-039

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
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Response to Restriction
Requirement (2 pgs.)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Manatt Phelps & Phillips, LLP

Signature

Printed name

Pamela S. Merkadeau

Date

November 4, 2005

Reg. No.

53,318

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: McConnell, Brian and
Krupinski, David

Application No. 09/884,531

Filed: June 19, 2001

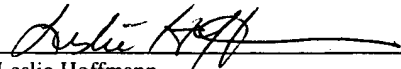
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Examiner: Bhatia, Ajay M.
Art Unit: 2152

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 4, 2005 imposing a restriction/election requirement, Applicants respectfully traverse this restriction/election requirement and submit the following remarks.

REMARKS

In the Office Action, the Examiner has identified two separate inventions: Group I (Claims 1-5) and Group II (Claims 6-10). Applicants note that claim 5 was cancelled in Applicants' response to the Office Action mailed on January 11, 2005, and as such is not currently pending. Claims 1-4 and 6-10 are pending the application. Applicants traverse the outstanding restriction requirement based on the remarks presented herein.

Restriction is appropriate only when the inventions are independent or *distinct and* simultaneous examination in one application presents a serious burden on the Examiner. MPEP 803 (emphasis added). Applicants respectfully submit that the claims pending are not drawn to